

**MEMORANDUM ENDORSED**

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May 11, 2020

Hon. Gregory H. Woods  
 United States District Judge  
 Southern District of New York  
 40 Centre Street  
 New York, NY 10007

Re: *United States v. John Depeyster* 19 cr 253 (GHW)

Dear Judge Woods:

I write this letter to seek an adjournment of the sentencing in the above-matter currently scheduled for May 27, 2020. On this date I contacted the government and probation about whether the sentencing would proceed on May 27<sup>th</sup> and whether it would proceed by video. AUSA Jarred Schaeffer suggested that I seek a 30 day continuance and then we could reassess whether the sentencing would go forward on that date, and they would consent to the 30 days. I advised Mr. Schaeffer that I was planning on going out to Wyoming for the month of June to take care of my mother and was going to ask for a new date the week following the Fourth of July. Mr. Schaeffer does not consent to resetting the date to the week of July 6<sup>th</sup> and only consents to the 30 days which would mean a sentencing date scheduled for on or about June 27, 2020. It is likely that defense counsel will be driving out given the COVID, and getting back for the 27<sup>th</sup> of June would reduce the time with her mother significantly and unnecessarily.

The government has provided no reason for why the week of July 6<sup>th</sup> would be too late or inconvenient or the AUSA would be unavailable and the difference between June 27<sup>th</sup> and July 6<sup>th</sup> is a matter of days. Mr. Depeyster is currently on release so there is no prejudice to either party. Furthermore, the defense wishes to be in the same room with her client if the proceeding is going forward as a video conferencing and is reluctant to go into New York under the current circumstances in May. Later in the summer would be better and more likely a safer environment and possibly an in-person proceeding which is greatly preferred.

The probation officer, Ms. Velez, takes no position on the issue.

Accordingly, the defense respectfully requests that the sentencing in the above-referenced matter be rescheduled to the week of July 6<sup>th</sup> or thereafter at the Court's convenience, and for such other and further relief as this Court deems just and necessary.

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Thank you for your time and consideration.

Respectfully,

/s/ Inga L. Parsons

Inga L. Parsons

Cc: All counsel of record via ECF  
Ms. Velez by email

Application granted. The sentencing is adjourned to July 13, 2020 at 3:30. The defendant's sentencing submission is due no later than June 22, 2020; the Government's sentencing submissions are due no later than June 29, 2020. Counsel for the defendant is directed to confer with the defendant regarding his willingness to proceed with this sentencing remotely under the authority of the CARES Act. Counsel for the defendant is directed to submit a letter to the Court regarding that issue no later than May 18, 2020.

SO ORDERED

May 11, 2020

  
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GREGORY H. WOODS  
United States District Judge